

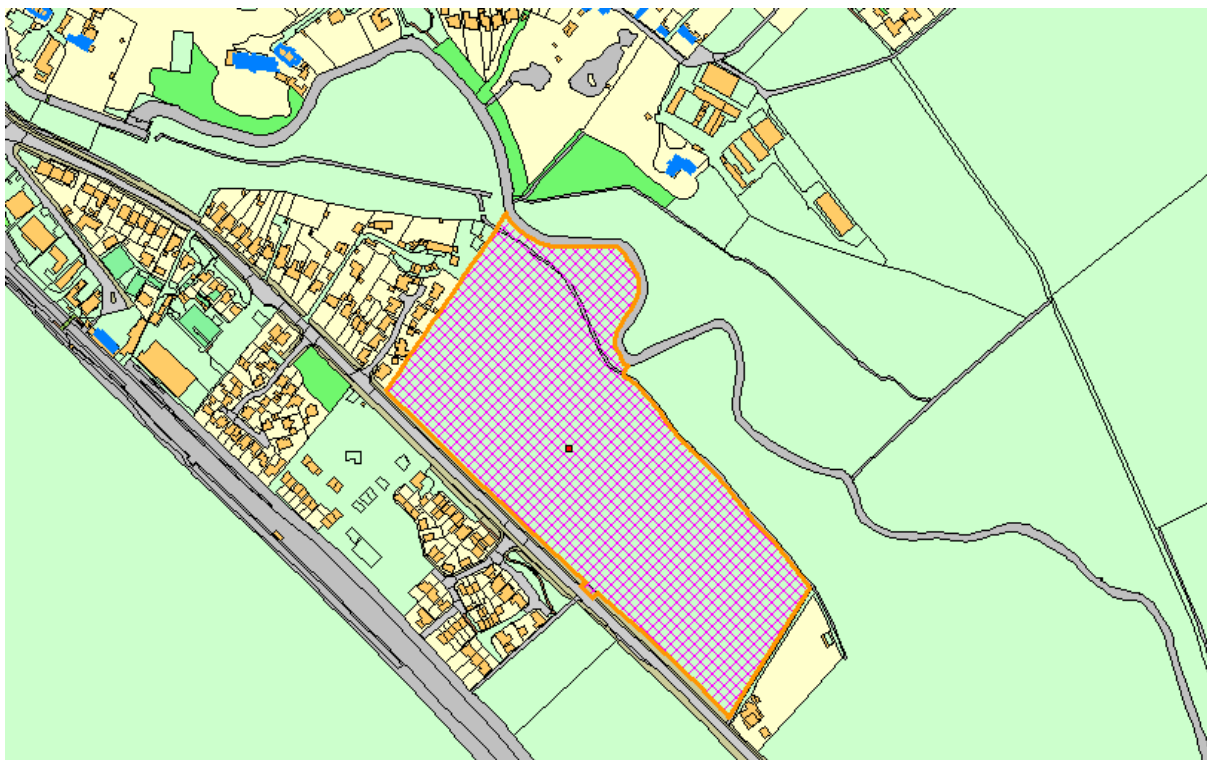
ITEM NUMBER: 7

PLANNING COMMITTEE DATE: 13 November 2024

REFERENCE NUMBER: UTT/24/1734/FUL

LOCATION: Land East Of London Road, Great Chesterford

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 22 October 2024

PROPOSAL: S73 application to vary conditions:
1 (approved plans),
6 (materials),
8 (landscape master plan),
13 (landscaping details),
14 (planted landscape features)

of UTT/23/1045/DFO (Details following outline application
UTT/20/2724/OP for 111 no. dwellings - details of appearance,
landscaping, layout and scale)

The plans referenced within these conditions require amendment
to match those of the updated plans in order to swap the house
type 4B8P-1 for other approved private unit types.

APPLICANT: Hill Partnerships

AGENT: Hill Partnerships

**EXPIRY
DATE:** 8 October 2024

**EOT Expiry
Date**

**CASE
OFFICER:** Chris Tyler

NOTATION: Outside but adjacent to development limits,
Site of Archaeological significance
Flood Zone 3 - east of the site
Conservation Area – north east of site

**REASON
THIS
APPLICATION
IS ON THE
AGENDA :** Variation of Condition of Major Application

1. EXECUTIVE SUMMARY

1.1 The principle of the development of this site for residential use has been established by the approval of planning permission (UTT/20/2724/OP) and is considered a significant material consideration. The proposed variation of conditions does not result in material change to the overall principle of the development is considered acceptable.

- 1.2 The variation of conditions 1, 6, 8, 13 and 14 of UTT/23/1045/DFO. The proposed revisions to the approved development including changes to the dwelling types and landscaping is considered to be in keeping with the existing approved development and will respect the appearance and character of the surrounding dwellings and be compatible with the character of the existing street scene and visual amenities of the locality.
- 1.3 The variation of these conditions will not result in any harmful impact to the residential amenity of surrounding residential occupiers, harmful impact to heritage assets, ecology/ biodiversity or drainage.
- 1.4 This S73 application to vary conditions 1, 6, 8, 13 and 14 of UTT/23/1045/DFO is acceptable and in accordance with ULP Policies GEN1, GEN2, GEN3, GEN4, GEN7, GEN8, ENV1, ENV2 and the NPPF. The application is recommended for approval subject to conditions.

2. **RECOMMENDATION**

That the Strategic Director of Planning be authorised to GRANT permission for the development(s) subject to those items set out in section 17 of this report –

A) Approve the variation of condition 1, 6, 8, 13 and 14 subject to condition.

3. **SITE LOCATION AND DESCRIPTION:**

- 3.1 The application site is currently in agricultural use and extends to 7.08 hectares. It is located immediately to the south of the existing settlement of Great Chesterford however is located within the parish of Little Chesterford (see plan 1). The site is bound to the south-west by the B1383 (London Road) and arable fields to south and east. The River Cam is to the north eastern boundary.
- 3.2 Great Chesterford is a large village located within the local authority area of Uttlesford District Council (UDC). Great Chesterford is located approximately 17km to the south of Cambridge, and approximately 5km north of Saffron Walden.
- 3.3 The village benefits from having a mainline train station, served by the West Anglia line, with a regular train service. Trains from Great Chesterford station serves Cambridge to the north and London Liverpool Street to the south and it has good access to the M11.
- 3.4 The character of the area surrounding the application site changes from one which is of a rural village nature, to open countryside. The site lies outside but adjacent to the development limits of Great Chesterford.

4. PROPOSAL

4.1 This S73 application considers the variation of conditions:

4.1.1 1 (approved plans),
6 (materials),
8 (landscape master plan),
13 (landscaping details),
14 (planted landscape features)

4.2 The plans referenced within these conditions require to be amendment to match those of the proposed updated plans to swap the house type 4B8P-1 for other approved private unit types.

4.3 Approved Condition 1:

4.3.1 *The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.*

4.4 Approved Condition 6:

4.4.1 *The materials and finishes shall be as indicated within the approved plans and thereafter retained as such, unless otherwise agreed with the local planning authority.*

4.5 Approved Condition 8:

4.5.1 *The development hereby approved shall be in accordance with the submitted Landscape Master Plan and Plant Schedule (GUA-DR-017-P08) The works shall be carried out as approved unless agreed in writing with the Local Planning Authority.*

4.6 Revised Condition 8:

4.6.1 The development hereby approved shall be in accordance with the submitted Landscape Master Plan and Plant Schedule (GUA-DR-017-P09) The works shall be carried out as approved unless agreed in writing with the Local Planning Authority.

4.6.2 REASON: The planting and landscaping schedule is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with ULP Policies S7 and GEN2 of the Uttlesford Local Plan (adopted 2005).

4.7 Approved Condition 13:

- 4.7.1** Notwithstanding the submitted Landscape Master Plan (22035 GUA-DR-L-006 P10 and Plant Schedule (GUA-DR-017) P08 and prior to any works above slab level, additional landscaping details of the north east boundary shall be submitted to and approved by the Local Planning Authority.
- 4.7.2** This additional information shall include details of tree planting and size/ standards of the proposed trees. The works shall be carried out as approved unless agreed in writing with the Local Planning Authority.
- 4.8** Revised Condition 13
- 4.8.1** The north east boundary of the site shall be accordance with following plans:
- 4.8.2** GUA-DR-L-006 P11
GUA-DR-L-009 P07
GUA-DR-L-007 P08
GUA-DR-L-017 P09
- 4.8.3** The works shall be carried out as approved unless agreed in writing with the Local Planning Authority.
- 4.8.4** REASON: To ensure the suitable provision of landscaping within the site in accordance with Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).
- 4.9** Approved Condition 14:
- 4.9.1** Notwithstanding the submitted Landscape Master Plan (22035 GUA-DR-L-006 P10 and Plant Schedule (GUA-DR-017) P08, any planted landscape features surrounding the immediate boundary of the play area shall be kept to a maximum height of 1m.
- 4.10** Revised Condition 14:
- 4.10.1** Notwithstanding the submitted Landscape Master Plan (22035 GUA-DR-L-006 P11 and Plant Schedule (GUA-DR-017) P09, any planted landscape features surrounding the immediate boundary of the play area shall be kept to a maximum height of 1m.
- 5. ENVIRONMENTAL IMPACT ASSESSMENT**
- 5.1** The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

6. RELEVANT SITE HISTORY

6.1

Reference	Proposal	Decision
UTT/23/1045/DF O	Details following outline application UTT/20/2724/OP for 111 no. dwellings - details of appearance, landscaping, layout and scale.	Approved
UTT/20/2724/OP	Outline application for the erection of up to 124 dwellings with all matters reserved except for access.	Approved
UTT/20/3329/DF O	Reserved Matters application, seeking approval of appearance, layout, scale and landscaping, for 76 dwellings following approval of outline planning permission UTT/19/0573/OP.	Approved
UTT/19/0573/OP	Outline application with all matters reserved except for access for the development of up to 76 dwellings, including provision of vehicular and pedestrian access, public open space and hard and soft landscaping	Approved

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 The LPA is unaware of any consultation exercise carried out by the applicant for this application.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 **Lead Local Flood Authority**

8.1.1 Concerns raised in regard to the requirement of revised drainage scheme.

8.2 **Environment Agency**

8.2.1 We have reviewed the documents as submitted and have no further comment on this planning application at this time.

8.3 **Sports England- No Objections**

8.3.1 The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306) and, therefore, Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.

8.4 National Highways- No Objections

8.4.1 No comments or further recommendations.

9. PARISH COUNCIL

9.1 No comments received.

10. CONSULTEE RESPONSES

10.1 UDC Environmental Health- No objection

10.1.1 I have reviewed the submitted information and this department raises no objections to the variation of these conditions. Although we recommend that any conditions pertaining to Environmental Protection from the previous application (UTT/23/1045/DFO) are copied over and attached to any consent.

10.2 Place Services (Conservation and Heritage) – No objection

10.2.1 Upon review of the submitted documents, I do not consider the proposals would result in any additional harm to the setting of the heritage assets.

10.3 ECC Ecology- No objection

10.3.1 We have reviewed the documents submitted for the above application and have no further comments in relation to ecology although we recommend that the ecology conditions from the previous application (UTT/23/1045/DFO) are copied over and attached to any consent.

10.4 Stansted Airport Aerodrome Safeguarding- No Objection

10.4.1 Thank you for consulting with the aerodrome safeguarding authority for Stansted Airport, we have no objection to the Variation.

10.5 Anglian Water- No Objection

10.5.1 No comments raised.

10.6 UDC Housing Officer –No Objections.

10.6.1 No comments raised.

10.7 ECC Archaeology- No Objections

10.7.1 No objections subject to conditions.

11. REPRESENTATIONS

11.1 A site notice was displayed on site and 188 notifications letters were sent to nearby properties. The planning application was also advertised in the local press.

11.2 Support

11.2.1 N/A

11.3 Object

11.3.1 N/A

12. MATERIAL CONSIDERATIONS

12.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the “Considerations and Assessments” section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

12.2 Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

(a)The provisions of the development plan, so far as material to the application,;

(aza) a post-examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

12.3 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

12.4 Section 73 of the Town and Country Planning Act 1990 enables an applicant to apply to develop land without compliance with conditions

attached to an extant permission. The Local Planning Authority may amend or remove condition but may not amend any other part of the permission and therefore the original permission remains intact. It will form a separate permission in its own right. Therefore, this means that a developer may elect which permission to implement.

12.5 The Development Plan

- 12.5.1** Essex Minerals Local Plan (adopted July 2014)
- Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)
- Uttlesford District Local Plan (adopted 2005)
- Felsted Neighbourhood Plan (made Feb 2020)
- Great Dunmow Neighbourhood Plan (made December 2016)
- Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)
- Thaxted Neighbourhood Plan (made February 2019)
- Stebbing Neighbourhood Plan (made 19 July 2022)
- Saffron Walden Neighbourhood Plan (made October 2022)
- Ashdon Neighbourhood Plan (made 6 December 2022)
- Great & Little Chesterford Neighbourhood Plan (made 2 February 2023)

13. POLICY

13.1 National Policies

- 13.1.1** National Planning Policy Framework (2023)
- National Planning Policy Guidance (NPPG)

13.2.1 Uttlesford District Plan 2005

- ULP Policy S3 – Other Development Limits
- ULP Policy S7 – The Countryside
- ULP Policy H10 – Housing Mix
- ULP Policy GEN1 – Access
- ULP Policy GEN2 – Design
- ULP Policy GEN3 – Flood Protection
- ULP Policy GEN4 – Good neighbourliness
- ULP Policy GEN7 – Natural Conservation
- ULP Policy GEN8 – Vehicle Parking Standards
- ULP Policy ENV1-Design of Development within Conservation Areas
- ULP Policy ENV2- Development affected Listed Buildings

13.3 State name of relevant Neighbourhood Plan in this title

- 13.3.1** Great & Little Chesterford Neighbourhood Plan
- 13.3.2** Great and little Chesterford Neighbourhood Plan (G&LCNP) was made February 2023, of which full weight is applied, policies include:
- 13.3.3** GLCNP/2 – Settlement Pattern and separation

GLCNP/4a – Landscape Character
GLCNP/4b –Views
GLCNP/5 – Historic Environment
GLCNP/9 – Housing

13.4 Supplementary Planning Document or Guidance

- 13.4.1** Uttlesford Local Residential Parking Standards (2013)
Essex County Council Parking Standards (2009)
Supplementary Planning Document- Accessible homes and play space
homes Essex Design Guide
Uttlesford Interim Climate Change Policy (2021)
Uttlesford Design Code (2024)

14. CONSIDERATIONS AND ASSESSMENT

- 14.1** The issues to consider in the determination of this application are:

- 14.2** **A) Character and Appearance**
B) Amenity
C) Landscaping
D) Heritage
E) Flooding and Drainage
F) Ecology

- 14.2.1** The principle of the development of this site for the construction of the 111 new dwellings, vehicular access and associated works has been established by the approval of planning permission UTT/20/2724/OP and UTT/23/1045/DFO and is considered a significant material consideration. The proposed variation of condition does not result in material change to the overall principle of the development.

14.3 A) Character and Appearance

- 14.3.1** ULP Policy GEN2 considers the design of development and advises development will not be permitted unless is compatible with the scale, form, layout, appearance and materials of surrounding buildings.

- 14.3.2** Paragraph 135 (b) of the NPPF advises planning decision should ensure developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

- 14.3.3** Policy GLCNP/9 of the Neighbourhood Plan considers the provision of a mix of sizes and tenures of homes which reflects local needs The proposed revisions are of a result of the detailed design process in collaboration with the requirements of future occupiers of the development.

- 14.3.4** The proposed changes include the changing a number of the housing types within the development, the proposed changes are consistent with

other dwellings already approved for this site. 12 plots house types will be changed, and 4 plots will include the removal of garages.

14.3.5 The proposed changes to the dwellings are considered to be in keeping with the existing approved development and will respect the appearance and character of the surrounding dwellings and be compatible with the character of the existing street scene and visual amenities of the locality. The proposal will result in changes to the immediate plot layouts and landscaping features but will not result in a changes to the overall approved layout of the development and siting of the dwellings, public open space or access layout.

14.3.6 GLNCP- 4b of the Great and Little Chesterford Neighbourhood Plan takes into consideration the appearance of the development in relation to the Cam Valley Area, especially in terms of important views. The proposed changes to the dwellings will not impact any the purposeful spaces between homes to break up the development frontage, enabling visual permeability throughout the proposal.

14.3.7 As such it is considered the character and appearance of proposed development are acceptable and in accordance with ULP Policy GEN2 and the NPPF. The proposal is also in accordance with the aims of the UDC Design Code and responds to the existing built character and identity of the district.

14.4 B) Amenity

14.4.1 Paragraph 135 (f) of the NPPF advises planning decision should ensure developments include a high standard of amenity for existing and future users.

14.4.2 ULP Policy GEN2 considers the design of development and advises development will not be permitted if it results in an adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy.

14.4.3 The proposed change of dwelling type will not result is not considered not to be of an increase that will result in a in any significant overlooking or loss of privacy that will have any harmful impact to the reasonable occupation of neighbouring properties.

14.4.4 In regards to amenity, it is considered the revisions of the approved scheme will not have any unacceptable impact to neighbouring residential amenity and would accord with ULP Policies GEN2, GEN4 and the NPPF.

14.5 C) Landscaping

14.5.1 The proposal includes landscape revisions relating to the individual dwelling plot that are to be changed. The landscape changes are proposed to accommodate the changes to the dwellings but will not

changes the overall principles of the previously approved landscape scheme. It is noted the Council's Landscape officer has been consulted in regards to the landscaping revision and no objections or further recommendation have been raised.

14.5.2 Policy GLCNP/2 of the Neighbourhood Plan advises development should be appropriate to the location or provide a rural buffer or visual break between settlements. The proposed changes to the landscape scheme will not impact the new woodland area and will continue to provide a new green edge to Great Chesterford.

14.5.3 As such taking into consideration the details above it is considered the landscaping details are appropriate in the context of the character of the site and accords with ULP Policies S7, GEN2, ENV3, G&LCNP and the NPPF.

14.5.4 In terms of the Uttlesford Design Code, the landscaping scheme is considered to comply with the approved Design Code, this includes:

- Where feasible existing hedgerows and trees situated along the site perimeter and field boundaries will be retained and enhanced,
- A green corridors of informal open space should linking from the east to the west of the site,
- Street trees will create distinctive features along the main entrance into the site,
- The site provides opportunities for other areas of ecological habitat creation,
- Proposed planting of larger scale specimen trees,
- The open space along to the south of the site and internal routes within the site provides a cohesive network of recreational routes,
- The location of the dwellings will allow natural surveillance over the open space from nearby dwellings and residential streets.

14.6 D) Heritage

14.6.1 The application site is located to the south of Great Chesterford, the proposals have the potential to affect the setting of the Grade II listed, Manor Farmhouse (list entry number: 1112305), the Grade I list Church of All Saints (list entry number: 1171461) and the Great Chesterford Conservation Area.

14.6.2 Due consideration should therefore be made to whether the proposal will have a harmful impact to the setting of the heritage asset as set out in ULP Policies ENV1, ENV2 and the statutory duties under Section 66(1)

and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

- 14.6.3** The Council's Heritage Consultant has reviewed the proposals and it is not considered proposals to result in any additional harm to the setting of the heritage assets, therefore it is considered the proposed revisions to the development is in accordance with the above policies.
- 14.6.4** In accordance with Policy ENV4 of the adopted Local Plan, the preservation of locally important archaeological remains will be sought unless the need for development outweighs the importance of the archaeology. It further highlights that in situations where there are grounds for believing that a site would be affected, applicants would be required to provide an archaeological field assessment to be carried out before a planning application can be determined, thus allowing and enabling informed and reasonable planning decisions to be made
- 14.6.5** A recommendation of trial trenching has been made by the Council's archaeology consultant, it is confirmed these matters have been secured by condition on the outline planning permission and therefore them proposal is in accordance with ULP Policy ENV4 and Policy GLCNP/5 of the G&LCNP.

14.7 E) Flooding and Drainage

- 14.7.1** Local Plan Policy GEN3 seeks the protection of functional floodplains and buildings would not be permitted unless there is an exceptional need. It goes onto state "Within areas of flood risk, within the development limit, development will normally be permitted where the conclusions of a flood risk assessment demonstrate an adequate standard of flood protection and there is no increased risk of flooding elsewhere.
- 14.7.2** Outside flood risk areas development must not increase the risk of flooding through surface water run-off. A flood risk assessment will be required to demonstrate this. Sustainable Drainage Systems should also be considered as an appropriate flood mitigation measure in the first instance.
- 14.7.3** A drainage scheme has been approved as part of the original development for this site, however the Lead Local Flood Authority has recommended an updated drainage scheme that includes the changes to impermeable areas and details to ensure sufficient water storage. It is noted a condition is included with the original outline planning permission for the submission of these details and the applicant is currently providing an updated drainage scheme ensure the development is in accordance with the original condition.
- 14.7.4** Taking into consideration the compliance condition for the submission of a drainage scheme as part of the outline planning permission it is considered the development accords with ULP Policy GEN3 and the

development will not result in any flood risk subject to the imposition of conditions and mitigation measures.

14.8 F) Ecology

14.8.1 Policy GEN7 and paragraph 185 of the NPPF seeks to ensure that development would not have a harmful effect on wildlife and Biodiversity. Appropriate mitigation measures must be implemented to secure the long-term protection of protected species

14.8.2 The Council's Ecology Officer has been consulted in regards to the proposed revision to the development. They have advised that although no objection have been raised subject to previous conditions imposed on the previous approval are included.

14.8.3 It is considered subject to conditions, the proposed development will not have a harmful impact on protected species or biodiversity and is in accordance with Policy GEN7, and the National Planning Policy Framework.

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

15.1.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

15.1.2 The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

15.1.3 Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised

15.2 Human Rights

15.2.1 There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these

issues have been taken into account in the determination of this application.

16. CONCLUSION

16.1 The principle of the development of this site for residential use has been established by the approval of planning permission (UTT/20/2724/OP) and is considered a significant material consideration. The proposed variation of conditions does not result in material change to the overall principle of the development is considered acceptable.

16.2 The variation of conditions 1, 6, 8, 13 and 14 (planted landscape features) of UTT/23/1045/DFO (details of appearance, landscaping, layout and scale) is considered acceptable. The proposed revisions to the approved development including changes to the dwelling types and landscaping is considered to be in keeping with the existing approved development and will respect the appearance and character of the surrounding dwellings and be compatible with the character of the existing street scene and visual amenities of the locality.

16.3 The variation of these conditions will not result in any harmful impact to the residential amenity of surrounding residential occupiers, harmful impact to heritage assets, ecology/ biodiversity or drainage.

16.4 This S73 application to vary conditions 1, 6, 8, 13 and 14 of UTT/23/1045/DFO is acceptable and in accordance with ULP Policies GEN1, GEN2, GEN3, GEN4, GEN7, GEN8, ENV1, ENV2, Great and Little Chesterford Neighbourhood Plan, the UDC Design code and the NPPF. The application is recommended for approval subject to conditions

17. CONDITIONS

1 The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies

2 Prior to the commencement of development updated ecology surveys for badgers and a mitigation strategy (if shown to be required by the surveys) shall be submitted to and approved in writing by the Local Planning Authority. The survey shall be of an appropriate type for the above species and survey methods shall follow national good practice guidelines.

REASON: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats

and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with Policy GEN7 of the Adopted Local Plan and the National Planning Policy Framework.

- 3** Dwellings shall not be occupied until such time as their associated vehicle parking area indicated on the approved plans, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas and associated turning areas shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and in accordance with ULP policy GEN1.

- 4** Dwellings shall not be occupied until such time as their associated cycle parking indicated on the approved plans has been provided.

REASON: To ensure appropriate bicycle parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and in accordance with ULP policy GEN1.

- 5** The development hereby approved shall be in constructed in accordance with climate control measures included in the submitted and approved Energy Statement (Create Consulting Engineers Ltd February 2023).

REASON: To ensure the development is sustainable and makes efficient use of energy, water and materials and has an acceptable appearance to comply with the adopted Uttlesford Local Plan Policies ENV15 and GEN2, as well as Uttlesford District Council's Interim Climate Change Policy (2021) and the Uttlesford Climate Change Strategy 2021-2030.

- 6** The materials and finishes shall be as indicated within the approved plans and thereafter retained as such, unless otherwise agreed with the local planning authority.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005)

- 7** The development hereby permitted shall be carried out in accordance with the approved Arboricultural Impact Assessment (ref. SHA1029 REV A), dated April 2023). This includes the Tree Protection Measures and construction methods to prevent harm to retained trees in accordance with BS5837:2012,

The area to be addressed by the Arboricultural Method Statement is identified on 'Drawing -Tree Protection Plan' (SHA 1029 TPP REV B) in the approved Arboricultural Impact Assessment.

REASON: To protect trees which are to be retained in accordance with Policies ENV3 and ENV8 of the Uttlesford Local Plan (adopted 200

8 CONDITION 8 VARIED

The development hereby approved shall be in accordance with the submitted Landscape Master Plan and Plant Schedule (GUA-DR-017-P09) The works shall be carried out as approved unless agreed in writing with the Local Planning Authority.

REASON: The planting and landscaping schedule is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with ULP Policies S7 and GEN2 of the Uttlesford Local Plan (adopted 2005).

9 The dwellings hereby approved shall be built in accordance with Requirement (Accessible and adaptable dwellings) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition incorporating 2016 amendments- for use in England.

5% of the dwellings hereby approved shall be built in accordance with wheelchair accessible and adaptable dwellings (M4(3) - Building Regulations 2010 Approved Document M, Volume 1 2015 edition incorporating 2016 amendments- for use in England.

REASON: To ensure a high standard of accessibility, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005), the SPD entitled 'Accessible Homes and Playspace' and the Planning Practice Guidance.

10 The development hereby approved shall be constructed to meet the optional requirement under Part G of the Building Regulations 2010 for the maximum potential consumption of potable water of 110 litres per person per day.

REASON : In order to minimise water consumption and to accord with Policy GEN 2 - Design of the Uttlesford Local Plan 2005 and Policy 3 of the Uttlesford Interim Climate Change Policy 2021.

11 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), all exterior lighting shall be capped at the horizontal with no upward light spill.

REASON: In the interests of flight safety and to prevent distraction and confusion to pilots using Stansted Airport and in accordance with Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002

- 12** If within a period of 10 years from the date of planting the tree (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree unless the local planning authority gives its written consent to any variation.

REASON: To ensure the suitable provision of landscaping within the site in accordance with Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

13 **CONDITION 13 VARIED**

The north east boundary of the site shall be accordance with following plans:

GUA-DR-L-006 P11
GUA-DR-L-009 P07
GUA-DR-L-007 P08
GUA-DR-L-017 P09

The works shall be carried out as approved unless agreed in writing with the Local Planning Authority.

REASON: To ensure the suitable provision of landscaping within the site in accordance with Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

14 **CONDITION 14 VARIED**

Notwithstanding the submitted Landscape Master Plan (22035 GUA-DR-L-006 P11 and Plant Schedule (GUA-DR-017) P09, any planted landscape features surrounding the immediate boundary of the play area shall be kept to a maximum height of 1m.

REASON: To provide an environment, which meets the reasonable needs of all potential users, in accordance with ULP Policy GEN2.

APPENDIX 1- LEAD LOCAL FLOOD AUTHORITY

Dear Chris,

Thank you for your email and my apologies for the delayed response due to annual leave.

Please can you advise whether revised information will be submitted under this S73 planning application (UTT/24/1734/FUL)?

As no drainage information has been provided for our review of this S73 application currently, if the application was to be conditioned, then the previous condition 9 wording would be deemed appropriate. However, we would advise that there may be delays at any future discharge of conditions stage as we have not seen a revised drainage layout for the new S73 development layout.

Kind regards,

Gemma

Gemma Parson (she/her)
Development and Flood Risk Officer
Environment Climate Action | Climate & Adaptation | GI & SuDS

Ad: E1 County Hall, Chelmsford, Essex, CM1 1QH |

 Essex County Council

APPENDIX 2- SPORTS ENGLAND

Thank you for consulting Sport England on the above application.

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306) and, therefore, Sport England has not provided a detailed response wish to give the following advice to aid the assessment of this application.

General guidance and advice can however be found on our website:

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications

If the proposal involves the **loss of any sports facility**, then full consideration should be given to whether the proposal meets the Planning Policy Framework (NPPF) is in accordance with local policies to protect social infrastructure and meets any approved Built Sports Facility Strategy that the local authority has in place.

If the proposal involves the provision of a **new sports facility**, then consideration should be given to the recommendations of the approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance. <http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

If the proposal involves the provision of additional **housing**, then it will generate additional demand for sport. If existing sports capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should be given to **development**, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create health and wellbeing. England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design guidance ensure the design and layout of development encourages and promotes participation in sport and physical activity.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England's Active Design Guidance: <https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-guidance>

Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or other functions that may relate to the site.

Yours sincerely,

Planning Technical Team

E: planning.central@sportengland.org